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SOUTHERN DISTRICT OF CALIFORNIA

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, vs. RYAN CABUTO, Defendant.	LAB CASE NO. 08CR0070(NLS) ORDER SETTING CONDITIONS OF PRETRIAL RELEASE: BAIL (18 U.S.C. § 3142(c))

On January 14, 2008, the court held a hearing pursuant to the Bail Reform Act, 18 U.S.C. § 3142 *et seq.* to determine whether the defendant should be released or detained in custody pending trial on charges of Possession of Images of Minors Engaged in Sexually Explicit Conduct in violation of Title 18 U.S.C. Sec. 2252(a)(4)(B). The Court determined that an unconditional release pursuant to 18 U.S.C. § 3142(b) would not be sufficient to assure the appearance of the defendant and the safety of the community. Thus, conditions of release are necessary pursuant to 18 U.S.C. § 3142(c) in order to reasonably assure the appearance of the defendant as required and the safety of the community. **Good cause appearing,**

IT IS ORDERED that the defendant shall be released from custody subject to the condition that he: **(a) make all of his court appearances, (b) not commit a federal, state, or local crime during the period of release, and comply with the additional conditions itemized listed below in**

accordance with 18 U.S.C. § 3142(c)(1):

STANDARD CONDITIONS:

1. Restrict travel to the Southern District of California. Do not enter Mexico.
2. Report for supervision to U.S. Pretrial Services ("PTS").
3. Not possess or use any narcotic drug or other controlled substance, (defined in 21 U.S.C. § 802), without a lawful medical prescription;
4. Not possess any firearm, dangerous weapon or other destructive device during the pendency of the case;
5. Read, or have explained, and acknowledge understanding of the Advice of Penalties and Sanctions Form;
6. Provide a current residence address and phone number prior to release and keep it current while the case is pending.

ADDITIONAL CONDITIONS:

1. Defendant to appear for a surety examination on **January 29, 2007** at which time personal surety bond approved by the court this date in the amount of $50,000 secured by Defendant's signature and his mother's signature will be converted to a real property bond in the amount of $50,000 secured by a trust deed on the mother's home and signatures of Defendant and his mother.
2. Submit to psychiatric/psychological counseling as specified by PTS.
3. Participate in and pay for active Global Positioning System (GPS) satellite monitoring as directed by PTS.
4. Actively seek and maintain full-time employment, schooling or a combination of the two as approved by PTS.
5. No computer in the home.
6. No computer or internet access in public places.
7. No use of any electronic device that allows for the capture or transmission of photographs. Defendant not to have wireless devices, external storage devices or hard-drives.
8. No contact with children under the age of 18, without the presence of their parent or guardian.

9. Defendant shall not be within 100 yards of places in which children congregate (schools, parks, playgrounds, video arcades, swimming pools, etc.)

DATED: 1/14/08
(*nunc pro tunc*)

Hon. Nita L. Stormes
U.S. Magistrate Judge